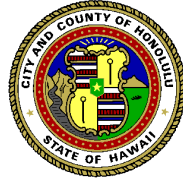


**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**

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KIRK CALDWELL  
MAYOR

CHARLES W. TOTTO  
EXECUTIVE DIRECTOR  
AND LEGAL COUNSEL

**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**

Date and Place:      October 21, 2015  
                                 Standard Financial Plaza  
                                 Conference Room, Suite 211

Present:                Katy Chen, Esq., Chair  
                                 Stanford Yuen, P.E., Commissioner  
                                 Stephen Silva, Commissioner  
                                 Hon. Riki Amano (ret.), Commissioner  
                                 Hon. Allene Suemori (ret), Commissioner [Arrived at 12:00 p.m]  
                                 Charles W. Totto, Executive Director and Legal Counsel (EDLC)  
                                 Laurie A. Wong, Associate Legal Counsel (ALC)  
                                 William “Bill” Shanafelt, Investigator III  
                                 Geoffrey Kam, Deputy Corporation Counsel, Department of the  
                                 Corporation Counsel (COR)  
                                 Jay Parasco, Mayor’s Office  
                                 Gordon Pang, Star-Advertiser

Absent:                 Michael Lilly, Esq., Vice Chair  
                                 Hon. Victoria Marks (ret), Commissioner

Stenographer:        Lisa P. Parker, Legal Clerk III  
                                 Kristine Bigornia, Legal Clerk I

**MINUTES OF THE OCTOBER 21, 2015 OPEN SESSION MEETING**

**I.      CALL TO ORDER**

Chair Chen called the meeting to order at 11:38 a.m.

## II. OLD BUSINESS

- A. Confirming the Date and Time for the November 18 and December 16, 2015 meetings. Beginning January 20, 2016, meetings will be held every third Wednesday of every month, except November, second Wednesday.

The Commission confirmed meetings for the following tentative dates: November 18, 2015, and December 16, 2015. Chair Chen announced starting January 20, 2016, the meetings will be held on every third Wednesday of every month, except November, which will be held on the second Wednesday.

## III. NEW BUSINESS

- A. Motion to Approve the Open Session Minutes of the September 23, 2015 Meeting.

Chair Chen asked for a Motion to approve the Open Minutes of the September 23, 2015 meeting.

**Commissioner Yuen so moved and Commissioner Amano seconded. Chair Chen then asked if there were any issues on the Minutes and since there none, all were in favor and the motion carried.**

- B. Executive Director and Legal Counsel's Administrative Report.

The EDLC asked the Commission if they had any questions to any of the items listed on the agenda, and further stated that the ALC had additional statistics to distribute and discuss.

1. General statistics: Requests for advice and complaints requiring investigation.
2. Fiscal year 2015 statistics.
3. Current fiscal year budget issues.
4. Fiscal year 2017 budget.
5. Ethics training program.
6. Staff's priorities for fiscal years 2016 — 2017.
7. Staff Monthly Communication with City Work Force.

The ALC explained to the Commission that Staff was thinking of incorporating visualization in the meeting, such as having a PowerPoint presentation. The ALC further

explained that having a PowerPoint would be helpful, especially when presenting statistics. With that thought in mind, the ALC stated that the Commission could discuss this visualization matter at a later time.

Commissioner Yuen asked what the priorities are for the office. For Item 6, the EDLC responded that the priorities are the same as last week. The EDLC explained that there were a couple of issues that he would like to discuss, but was not able to put on the agenda for priority purposes.

Commissioner Yuen was concerned about the amount of staff's workload, and wanted to know if it's within our capacity. With the limited resources, the EDLC explained that we needed to cut back on investigations. With the prior investigator, Letha DeCaires, the EDLC stated that she was quick and thorough when reviewing incoming complaints and was able to cut-down the backlog. The EDLC further stated that with the current investigator, Bill Shanafelt, who has been a great asset, but would still need time to "get up to speed." The EDLC continued that he would be happy to assist the Commission by showing a flow of the workload process, and that after several discussions amongst staff, it was concluded that we need to slow down. Physically and emotionally staff is burnt-out.

Commissioner Yuen requested, when possible, to show an estimate of man hours for these priorities. The EDLC informed the Commission that he would respond with an estimate at the next meeting, or rather the November or December meeting

Chair Chen asked what was the status of the move to Kapalama Hale. The EDLC responded that he had not heard any updates of the move other than the earliest our office is expected to move is March 2016.

Chair Chen asked if there were any questions on the administrative report, and since there none, asked for a motion to move into executive session and noted that the Executive Session, IV.B and IV.C of the agenda would be deferred to the November 18, 2015 meeting and would be placed on the open session agenda.

**Commissioner Silva so moved and Commissioner Amano seconded. All were in favor, and the motion carried.**

IV. EXECUTIVE SESSION SUMMARY (The following agenda items will be reviewed in executive session pursuant to Section 92-5(a)(2), Hawaii Revised Statutes (HRS), to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of the matters affecting privacy will be involved; HRS Section 92-5(a)(4), to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities; or HRS Section 92-5(a)(8) to deliberate or make a decision upon a matter that requires consideration of information that must be kept confidential pursuant to state or federal law or court order.)

- A. Motion to Approve the Minutes of the Executive Session of the August 27, 2015 meeting. (HRS Secs. 92-5(a)(2), (a)(4) and (a)(8))

**The ALC asked to amend the motion to approve the minutes of the Executive Session of the September 23, 2015 meeting. Commissioner Yuen so moved for this amendment, and Commissioner Silva seconded.**

**With no further discussion, Commissioner Yuen moved to approve the minutes of the September 23, 2015 meeting. Commissioner Yuen so moved for this amendment and Commissioner Silva seconded.**

- B. For Discussion: Proposed Amendments to the Ethics Commission Rules of Procedure. (HRS Secs. 92-5(a)(4))
- C. For Discussion: Proposed Amendments to the Guidelines on Gifts. (HRS Secs. 92-5(a)(4))

**Commissioner Silva moved to exit executive session and enter open session. Commissioner Amano seconded. All were in favor, and the motion carried.**

#### V. ADJOURNMENT

Commissioner Amano moved to add “Contested Hearing Procedures” during open session on the agenda.

Deputy Kam informed Commissioner Amano that the motion could not be heard at this time, due to the lack of votes, which is to have at least two-thirds (2/3) of the Commission or five (5) votes among the Commissioners.

Due to the insufficient votes, Commissioner Amano’s motion was tabled to the next meeting to be held on November 18, 2015.

**Commissioner Amano moved to have the “Contested Hearing Procedures” as an agenda item in the November 18, 2015 meeting. Commissioner Silva seconded. All were in favor, and the motion carried.**

**Commissioner Yuen moved to adjourn the meeting. Commissioner Silva seconded. All were in favor, and the motion carried.**

The meeting adjourned at approximately 11:50 a.m.